

## **JEFF J. MINCKLER**

**E-MAIL:** [jeff@minckler.net](mailto:jeff@minckler.net)

*(please use e-mail for all communications)*

**PRESENT OCCUPATION:** Arbitrator and Factfinder

### **BUSINESS ADDRESS**

2355 Westwood Blvd., Box 636  
Los Angeles, CA 90064

**PHONE:** 310.365.3090 **FAX:** 206.892.9718

### **INDUSTRY EXPERIENCE:**

Aerospace, airport, ambulance, asphalt, cemetery, chemical, clerical, communications, construction, custodial, education (K-12 and university, certified and classified), electrical (lineman and commercial), fire, food preparation and handling, law enforcement (highway patrol, sheriff, police, 911 dispatch), legal, lumber and plywood, maritime, medical (nursing, health care, laboratory), metal, prison and jail, public works, road and bridge, security, solid waste (hauling, transfer stations and landfill), technology, transportation, trucking, utilities, water and wastewater.

### **ISSUE EXPERIENCE:**

Alcohol and drugs, arbitrability (affirmative defenses and timeliness), assignments and reassignments, bidding, classification and pay, crew size, discipline and discharge/termination, dishonesty, due process, evaluations, factfinding (advisory and binding), harassment and violence, insubordination, insurance, layoff, leave benefits and abuse, NLRB ULP deferrals (including those regulated by *Babcock & Wilcox Construction*), off-duty conduct, overtime and premium pay, past practice, performance deficiency, public speech, reduction in force, safety, seniority, training, wage and benefit comparisons.

### **ROSTERS & PANELS:**

Alaska Labor Relations Agency  
State of Alaska and International Organization of Masters, Mates and Pilots  
California Employment Relations Board  
Federal Mediation and Conciliation Service, Regions 1 & 2  
Montana Board of Personnel Appeals  
Nebraska Commission of Industrial Relations  
Nevada Employee-Management Relations Board  
Oregon Employment Relations Board  
Phoenix City Employment Relations Board  
Washington Employment Relations Commission

### **RELATED EMPLOYMENT:**

Academic: University instructor, research and case preparation (1972)

Labor: Representative, AFL-CIO local (1973-1974)

Management: Specialist, Montana State Labor Relations Bureau (1974-1977)

Bureau Chief and Governor's Designee for Collective Bargaining (1977-1979)

Labor: Regional Manager and Chief Negotiator, Montana Public Employees Association (1979-1982)

Management: Director of Labor Relations, Montana School Boards Association (1982-1986)

Labor & Management: Private practice representation of unions and employers in the private and public sectors (1986-2011)

Neutral: Arbitrator and Factfinder (2011-present)

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### RELATED EDUCATION:

University of Montana (Communications and Business Administration)  
Cornell University Graduate School of Industrial and Labor Relations  
American Arbitration Association University  
Arizona Supreme Court & Attorney General ADA course  
Federal Mediation and Conciliation Service Institute

### PROFESSIONAL AFFILIATIONS:

Association for Conflict Resolution  
Labor and Employment Relations Association  
California, Montana and Washington labor relations associations

### PRESENTATIONS & WRITINGS:

Keynote addresses for public and private sector employers and unions  
Section and panel presenter at state and national conventions

Sample of topics:

Affirmative Defenses in Arbitration  
The Use of After-acquired Evidence in Arbitration  
Dissecting Just Cause  
Past Practice Application and Exceptions  
Public Speech Protections and Exceptions  
The Requirements of Due Process  
*Weingarten*, *Garrity* and *Beckwith* Protection  
The Duty/Off-duty Nexus  
The Law of the Collective Bargaining Hiatus  
Tenured and Nontenured Teacher Dismissal and Nonrenewal  
Satisfying the Requirements of Due Diligence  
Fair Labor Standards Act in the Private and Public Sectors  
*Brady* List Impact on Continuing Employment  
A Dozen Variations of Seniority

Advanced discipline and discharge course for unions and employers  
Coordinator and instructor of university arbitration course

### FEES & EXPENSES: *(unless otherwise established by statute or panel agreement)*

Base fee: Grievance arbitration: \$1,100. Interest arbitration, factfinding and mediation: \$1,300.

Cases decided: Base fee per day, hours over 8 prorated. Only expenses are charged for an excess reserved day. No ancillary charges (i.e., docketing fee, charge for preliminary or post-proceeding matters unless more than usual time is being required and the parties are notified in advance).

Cases rescheduled: Expenses incurred (e.g., ticket change fee or cost of nonrefundable ticket and/or reservation).

Cases withdrawn: Expenses incurred and base fee prorated for time spent, including preliminaries and preparation.

Travel, study and writing: Base fee prorated.

Expenses: Transportation from nearest address, lodging and meals at actual cost.

### ADDITIONAL INFORMATION & SAMPLE DECISIONS: [www.minckler.net](http://www.minckler.net)